

**U.S. District Court [LIVE]  
Eastern District of TEXAS (Tyler)  
CIVIL DOCKET FOR CASE #: 6:12-cv-00246-MHS**

NobelBiz, Inc. v. LiveVox Inc.

Assigned to: Judge Michael H. Schneider

Related Cases: 6:12-cv-00243-MHS

6:12-cv-00244-MHS

6:12-cv-00247-MHS

6:12-cv-00831-MHS

Cause: 35:271 Patent Infringement

**Plaintiff**

**NobelBiz, Inc.**

Date Filed: 04/03/2012

Date Terminated: 04/18/2013

Jury Demand: Plaintiff

Nature of Suit: 830 Patent

Jurisdiction: Federal Question

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V.

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Date Filed	#	Docket Text
04/03/2012	<u>I 1</u>	COMPLAINT against LiveVox Inc. ( Filing fee \$ 350 receipt number 0540-3526133.), filed by NobelBiz, Inc.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Civil Cover Sheet)(Capshaw, Sidney) (Entered: 04/03/2012)
04/03/2012	<u>I 2</u>	Notice of Filing of Patent/Trademark Form (AO 120). AO 120 mailed to the Director of the U.S. Patent and Trademark Office. (Capshaw, Sidney) (Entered: 04/03/2012)
04/03/2012	<u>I 3</u>	CORPORATE DISCLOSURE STATEMENT filed by NobelBiz, Inc. (Capshaw, Sidney) (Entered: 04/03/2012)
04/03/2012	<u>I</u>	Judge Leonard Davis added. (mll, ) (Entered: 04/04/2012)
04/04/2012	<u>I 4</u>	SUMMONS Issued as to LiveVox Inc., and emailed to pltf for service. (mll, ) (Entered: 04/04/2012)
04/05/2012	<u>I 5</u>	Unopposed MOTION to Seal <i>Preliminary Injunction-Related Papers</i> by NobelBiz, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(Capshaw, Sidney) (Entered: 04/05/2012)
04/05/2012	<u>I 6</u>	SEALED MOTION for <i>Preliminary Injunction</i> by NobelBiz, Inc.. (Attachments: # <u>1</u> Exhibit A - '122 Patent, # <u>2</u> Affidavit Chevalier, # <u>3</u> Exhibit 1 - 02/22/10 Correspondence, # <u>4</u> Exhibit 2 - 02/22/10 Correspondence, # <u>5</u> Exhibit 3 - 03/10/09 Correspondence, # <u>6</u> Exhibit 4 - Web Site Print Out, # <u>7</u> Exhibit 5 - Web Site Print Out, # <u>8</u> Exhibit 6 - 03/20/12 Correspondence, # <u>9</u> Exhibit 7 - 03/20/12 Correspondence, # <u>10</u> Affidavit Siminoff, # <u>11</u> Text of Proposed Order)(Capshaw, Sidney) (Entered: 04/05/2012)
04/10/2012	<u>I 7</u>	ORDER granting <u>5</u> Motion to Seal Preliminary Injunction-Related Papers. Signed by Judge Leonard Davis on 04/09/12. cc:attys 4-10-12 (mll, ) (Entered: 04/10/2012)
04/16/2012	<u>I 8</u>	NOTICE of Attorney Appearance by Robert M Harkins, Jr on behalf of LiveVox Inc. (Harkins, Robert) (Entered: 04/16/2012)
04/18/2012	<u>I 9</u>	NOTICE of Change of Address by Robert M Harkins, Jr (Harkins, Robert) (Entered: 04/18/2012)
04/23/2012	<u>I 10</u>	Return of Service Executed as to LiveVox Inc. on 4/4/2012, by personal service; answer due: 4/25/2012. (mll, ) (Entered: 04/24/2012)
04/24/2012	<u>I 11</u>	NOTICE of Attorney Appearance by E Paul Cauley, Jr on behalf of LiveVox Inc. (Cauley, E) (Entered: 04/24/2012)
04/24/2012	<u>I 12</u>	Defendant's Unopposed First Application for Extension of Time to Answer Complaint re LiveVox Inc..( Cauley, E) (Entered: 04/24/2012)
04/24/2012	<u>I 13</u>	NOTICE of Attorney Appearance by Favad Rauf Bajaria on behalf of LiveVox Inc. (Bajaria, Favad) (Entered: 04/24/2012)
04/26/2012	<u>I 14</u>	Defendant's LiveVox's Unopposed First Motion for Extension of Time to Answer Plaintiff's Application for Preliminary Injunction and Motion for Expedited Discovery( Harkins, Robert)

Modified on 4/27/2012 (mll, ). Attached Proposed Order. (Additional attachment(s) added on 4/27/2012:

# 2 Corrected Proposed Order) (gsg, ). (Entered: 04/26/2012)

04/27/2012	<u>I</u>	Defendant's Unopposed First Application for Extension of Time to Answer Complaint <u>12</u> is granted pursuant to Local Rule CV-12 for LiveVox Inc. to 5/25/2012. 25 Days Granted for Deadline Extension.( mll, ) (Entered: 04/27/2012)
05/16/2012	<u>15</u>	APPLICATION (APPROVED) to Appear Pro Hac Vice by Attorney Charles H Chevalier for NobelBiz, Inc.. (pkb, ) (Entered: 05/16/2012)
05/16/2012	<u>16</u>	APPLICATION (APPROVED) to Appear Pro Hac Vice by Attorney Ralph A Dengler for NobelBiz, Inc.. (pkb, ) (Entered: 05/17/2012)
05/16/2012	<u>17</u>	APPLICATION (APPROVED) to Appear Pro Hac Vice by Attorney William A Hector for NobelBiz, Inc.. (pkb, ) (Additional attachment(s) added on 5/18/2012: # <u>1</u> Exhibit) (mll, ). (Entered: 05/17/2012)
05/23/2012	<u>18</u>	<b>***FILED IN ERROR. SEE ENTRY <u>23</u> FOR CORRECTED FILING***</b> MOTION to Change Venue <i>Transfer and Stay Proceedings Regarding NobelBiz's Application for Preliminary Injunction</i> by LiveVox Inc.. (Harkins, Robert) Modified on 5/25/2012 (gsg). (Entered: 05/23/2012)
05/23/2012	<u>19</u>	AFFIDAVIT in Support re <u>18</u> MOTION to Change Venue <i>Transfer and Stay Proceedings Regarding NobelBiz's Application for Preliminary Injunction Declaration of Robert Harkins filed by LiveVox Inc..</i> (Harkins, Robert) (Entered: 05/23/2012)
05/23/2012	<u>20</u>	AFFIDAVIT in Support re <u>18</u> MOTION to Change Venue <i>Transfer and Stay Proceedings Regarding NobelBiz's Application for Preliminary Injunction Declaration of Michael Lelaris filed by LiveVox Inc..</i> (Harkins, Robert) (Entered: 05/23/2012)
05/24/2012	<u>21</u>	AFFIDAVIT in Support re <u>18</u> MOTION to Change Venue <i>Transfer and Stay Proceedings Regarding NobelBiz's Application for Preliminary Injunction Replacement for Document No. 19 filed by LiveVox Inc..</i> (Harkins, Robert) (Entered: 05/24/2012)
05/24/2012	<u>22</u>	AFFIDAVIT in Support re <u>18</u> MOTION to Change Venue <i>Transfer and Stay Proceedings Regarding NobelBiz's Application for Preliminary Injunction Replacement for Document No. 20 filed by LiveVox Inc..</i> (Harkins, Robert) (Entered: 05/24/2012)
05/24/2012	<u>23</u>	MOTION to Change Venue <i>This Motion replaces Document No. 18 (adding Cert of Conference)</i> by LiveVox Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(Harkins, Robert) (Entered: 05/24/2012)
05/25/2012	<u>I</u>	NOTICE of Deficiency regarding the Motion to Change Venue, entry 18. No certificate of conference. See entry <u>23</u> for corrected filing.(gsg) (Entered: 05/25/2012)
05/25/2012	<u>24</u>	MOTION to Seal <i>Opposition to Pltf Application for Preliminary Injunction</i> by LiveVox Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(Harkins, Robert) (Entered: 05/25/2012)
05/25/2012	<u>25</u>	SEALED RESPONSE to Motion re <u>6</u> SEALED MOTION <i>for Preliminary Injunction</i> filed by LiveVox Inc.. (Attachments: # <u>1</u> Affidavit Michael Reed, # <u>2</u> Affidavit Klint Carmickle, # <u>3</u> Affidavit Robert Harkins, # <u>4</u> Exhibit A to R. Harkins, # <u>5</u> Exhibit B to R. Harkins, # <u>6</u> Exhibit C to R. Harkins,

# 7 Exhibit D to R. Harkins,  
 # 8 Exhibit E to R Harkins,  
 # 9 Exhibit F to R Harkins,  
 # 10 Exhibit G to R Harkins,  
 # 11 Exhibit H to R Harkins,  
 # 12 Exhibit I to R. Harkins,  
 # 13 Exhibit J to R. Harkins,  
 # 14 Exhibit K to R. Harkins,  
 # 15 Exhibit L to R Harkins,  
 # 16 Exhibit M to R Harkins,  
 # 17 Exhibit N to R Harkins,  
 # 18 Exhibit O to R Harkins,  
 # 19 Exhibit P to R. Harkins,  
 # 20 Exhibit Q to R Harkins,  
 # 21 Exhibit R to R Harkins,  
 # 22 Exhibit S to R. Harkins,  
 # 23 Exhibit T to R. Harkins,  
 # 24 Exhibit U to R. Harkins)(Harkins, Robert) (Entered: 05/25/2012)

05/29/2012	<u>26</u>	ORDER granting <u>24</u> Motion to Seal. The response to plaintiffs motion for preliminary injunction, declarations and exhibits thereto shall be treated as confidential under Local Patent Rule 2-2. The Clerk is hereby directed to seal the defendants response to plaintiffs motion for injunction and exhibits thereto. Signed by Judge Leonard Davis on 05/29/12. cc:attys 5-29-12 (mll, ) (Entered: 05/29/2012)
05/31/2012	<u>27</u>	ANSWER to <u>1</u> Complaint by LiveVox Inc..(Harkins, Robert) (Entered: 05/31/2012)
06/04/2012	<u>28</u>	Unopposed MOTION for Extension of Time to File Response/Reply to <i>Defendant LiveVox, Inc.'s Motion to Stay Proceedings Regarding Plaintiff's Application for Preliminary Injunction</i> by NobelBiz, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(DeRieux, Elizabeth) (Entered: 06/04/2012)
06/05/2012	<u>29</u>	ORDER granting <u>28</u> Motion for Extension of Time to File Response/Reply re <u>6</u> SEALED MOTION for Preliminary Injunction; Replies due by 6/11/2012. Signed by Judge Leonard Davis on 06/05/12. cc:attys 6-05-12 (mll, ) (Entered: 06/05/2012)
06/11/2012	<u>30</u>	RESPONSE in Opposition re <u>23</u> MOTION to Change Venue <i>This Motion replaces Document No. 18 (adding Cert of Conference) (Plaintiff's Opposition to Defendant's Motion to Transfer Venue and to Stay Proceedings) filed by NobelBiz, Inc..</i> (Attachments: # <u>1</u> Declaration of Hector, # <u>2</u> Exhibit 1 to Declaration of Hector, # <u>3</u> Exhibit 2 to Declaration of Hector, # <u>4</u> Exhibit 3 to Declaration of Hector, # <u>5</u> Exhibit 4 to Declaration of Hector, # <u>6</u> Exhibit 5 to Declaration of Hector, # <u>7</u> Exhibit 6 to Declaration of Hector, # <u>8</u> Exhibit 7 to Declaration of Hector, # <u>9</u> Exhibit 8 to Declaration of Hector, # <u>10</u> Exhibit 9 to Declaration of Hector, # <u>11</u> Exhibit 10 to Declaration of Hector, # <u>12</u> Declaration of Pollum, # <u>13</u> Declaration of Rambin, # <u>14</u> Exhibit 1 to Declaration of Rambin, # <u>15</u> Exhibit 2 to Declaration of Rambin)(DeRieux, Elizabeth) (Entered: 06/11/2012)
06/11/2012	<u>31</u>	

Additional Attachments to Main Document: 30 Response in Opposition to Motion,,,  
 (Attachments:  
# 1 Text of Proposed Order)(DeRieux, Elizabeth) (Entered: 06/11/2012)

06/11/2012	<u>32</u>	Unopposed MOTION to Seal <i>Motion to File Sealed Additional Attachment</i> by NobelBiz, Inc.. (Attachments: <u># 1</u> Text of Proposed Order)(Rambin, Daymon) (Entered: 06/11/2012)
06/11/2012	<u>33</u>	SEALED PATENT MOTION ( <i>Plaintiff's Unopposed Motion to Seal Additional Attachment</i> ) by NobelBiz, Inc.. (Attachments: <u># 1</u> Exhibit B, <u># 2</u> Text of Proposed Order)(Rambin, Daymon) (Entered: 06/11/2012)
06/11/2012	<u>34</u>	Unopposed MOTION to Seal <i>Plaintiff's Reply Brief in Support of its Application for Preliminary Injunction</i> by NobelBiz, Inc.. (Attachments: <u># 1</u> Text of Proposed Order)(DeRieux, Elizabeth) (Entered: 06/11/2012)
06/11/2012	<u>35</u>	SEALED PATENT REPLY to Response to PATENT Motion re <u>6</u> SEALED MOTION <i>for Preliminary Injunction filed by NobelBiz, Inc.</i> (Attachments: <u># 1</u> Siminoff Declaration, <u># 2</u> Exhibit C)(DeRieux, Elizabeth) (Entered: 06/11/2012)
06/12/2012	<u>36</u>	ORDER granting <u>32</u> Motion to File Under Seal. Signed by Judge Leonard Davis on 06/12/12. cc:attys 6-12-12 (mll, ) (Entered: 06/12/2012)
06/12/2012	<u>37</u>	ORDER granting <u>34</u> Motion to File Under Seal. Signed by Judge Leonard Davis on 06/12/12. cc:attys 6-12-12 (mll, ) (Entered: 06/12/2012)
06/12/2012	<u>38</u>	Unopposed MOTION for Leave to File Excess Pages by NobelBiz, Inc.. (Attachments: <u># 1</u> Text of Proposed Order)(DeRieux, Elizabeth) (Entered: 06/12/2012)
06/13/2012	<u>39</u>	RESPONSE in Opposition re <u>33</u> SEALED PATENT MOTION ( <i>Plaintiff's Unopposed Motion to Seal Additional Attachment</i> ) <i>filed by LiveVox Inc.</i> (Harkins, Robert) (Additional attachment(s) added on 6/14/2012: <u># 1</u> Text of Proposed Order) (gsg, ). (Entered: 06/13/2012)
06/13/2012	<u>40</u>	<b>***DUPLICATE PROPOSED ORDER. PLEASE DISREGARD.***</b> Additional Attachments to Main Document: <u>39</u> Response in Opposition to Motion.. (Harkins, Robert) Modified on 6/14/2012 (gsg). (Entered: 06/13/2012)
06/13/2012	<u>41</u>	ORDER denying <u>38</u> Motion for Leave to File Excess Pages. NobelBiz, Inc. may refile its Reply Brief in Support of its Application for Preliminary Injunction in compliance with the page limits rules within one business day, otherwise the Court will only consider the reply brief to the extent it complies with the rules. Signed by Judge Leonard Davis on 06/13/12. cc:attys 6-14-12 (mll, ) (Entered: 06/14/2012)
06/15/2012	<u>42</u>	SEALED PATENT REPLY to Response to PATENT Motion re <u>6</u> SEALED MOTION <i>for Preliminary Injunction filed by NobelBiz, Inc.</i> (Attachments: <u># 1</u> Siminoff Declaration, <u># 2</u> Exhibit C)(DeRieux, Elizabeth) (Entered: 06/15/2012)
06/21/2012	<u>43</u>	REPLY to Response to Motion re <u>23</u> MOTION to Change Venue <i>This Motion replaces Document No. 18 (adding Cert of Conference) filed by LiveVox Inc.</i> (Harkins, Robert) (Entered: 06/21/2012)
06/25/2012	<u>44</u>	MOTION to Seal <i>Sur-Reply in Opposition to Plaintiff's Application for Preliminary Injunction</i> by LiveVox Inc.. (Attachments: <u># 1</u> Text of Proposed Order)(Harkins, Robert) (Entered: 06/25/2012)



06/25/2012	<u>45</u>	SEALED REPLY to Response to Motion re <u>6</u> SEALED MOTION for Preliminary Injunction filed by LiveVox Inc.. (Attachments: # <u>1</u> Affidavit Supplemental Harkins Declaration)(Harkins, Robert) (Entered: 06/25/2012)
06/26/2012	<u>46</u>	ORDER granting <u>44</u> Motion to File Under Seal. Signed by Judge Leonard Davis on 06/26/12. cc:attys 6-26-12 (mll, ) (Entered: 06/26/2012)
07/02/2012	<u>47</u>	SUR-REPLY to Reply to Response to Motion re <u>23</u> MOTION to Change Venue <i>This Motion replaces Document No. 18 (adding Cert of Conference) filed by NobelBiz, Inc.</i> (Attachments: # <u>1</u> Hector Declaration, # <u>2</u> Exhibit 1 to Hector Declaration, # <u>3</u> Exhibit 2 to Hector Declaration, # <u>4</u> Exhibit 3 to Hector Declaration, # <u>5</u> Exhibit 4 to Hector Declaration, # <u>6</u> Exhibit 5 to Hector Declaration, # <u>7</u> Exhibit 6 to Hector Declaration, # <u>8</u> Exhibit 7 to Hector Declaration, # <u>9</u> Exhibit 8 to Hector Declaration, # <u>10</u> Rambin Declaration)(DeRieux, Elizabeth) (Entered: 07/02/2012)
08/27/2012	<u>48</u>	ORDER granting <u>14</u> Motion for Extension of Time for Discovery. Signed by Judge Leonard Davis on 08/27/12. cc:attys 8-28-12 (mll, ) (Entered: 08/28/2012)
09/28/2012	<u>49</u>	Opposed MOTION to Consolidate Cases by NobelBiz, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(DeRieux, Elizabeth) (Entered: 09/28/2012)
10/15/2012	<u>50</u>	RESPONSE in Opposition re <u>49</u> Opposed MOTION to Consolidate Cases <i>filed by LiveVox Inc.</i> (Attachments: # <u>1</u> Text of Proposed Order Order Denying Plaintiff's Opposed Motion to Consolidate)(Harkins, Robert) (Entered: 10/15/2012)
10/22/2012	<u>51</u>	REPLY to Response to Motion re <u>49</u> Opposed MOTION to Consolidate Cases ( <i>Plaintiff's Reply Brief in Support of Motion to Consolidate</i> ) filed by NobelBiz, Inc.. (DeRieux, Elizabeth) (Entered: 10/22/2012)
10/29/2012	<u>52</u>	SUR-REPLY to Reply to Response to Motion re <u>49</u> Opposed MOTION to Consolidate Cases <i>filed by LiveVox Inc.</i> (Harkins, Robert) (Entered: 10/29/2012)
11/01/2012	<u>53</u>	NOTICE by NobelBiz, Inc. ( <i>Notice of Readiness for Scheduling Conference</i> ) (DeRieux, Elizabeth) (Entered: 11/01/2012)
12/03/2012	<u>54</u>	ORDER granting <u>33</u> Sealed Patent Motion for Leave to File. Signed by Judge Leonard Davis on 12/03/12. cc:attys 12-03-12 (mll, ) (Entered: 12/03/2012)
01/15/2013	<u>55</u>	Order reassigning this case to United States District Judge Michael H. Schneider per General Order 13-3. Please see Appendix D: Addendum Regarding Cases Assigned to Judge Schneider. Judge Leonard Davis no longer assigned to the case. (mjc, ) (Entered: 01/15/2013)
02/21/2013	<u>56</u>	ORDER denying <u>49</u> Opposed MOTION to Consolidate Cases filed by NobelBiz, Inc. Scheduling Conference set for 3/28/2013 10:00 AM before Judge Michael H. Schneider. Signed by Judge Michael H. Schneider on 02/21/13. cc:attys 2-22-13(mll, ) (Entered: 02/22/2013)
02/21/2013	<u>57</u>	ORDER REGARDING E-DISCOVERY. Signed by Judge Michael H. Schneider on 02/21/13. cc:attys 2-22-13(mll, ) (Entered: 02/22/2013)
02/21/2013	<u>58</u>	PROTECTIVE ORDER. Signed by Judge Michael H. Schneider on 02/21/13. cc:attys 2-22-13(mll, ) (Entered: 02/22/2013)

03/12/2013	<u>59</u>	NOTICE by NobelBiz, Inc. ( <i>NobelBiz, Inc.'s Certificate of Interested Persons and/or Entities</i> ) (DeRieux, Elizabeth) (Entered: 03/12/2013)
03/14/2013	<u>60</u>	REPORT of Rule 26(f) Planning Meeting. (DeRieux, Elizabeth) (Entered: 03/14/2013)
03/15/2013	<u>61</u>	NOTICE by NobelBiz, Inc. <i>Regarding Joint Discovery/Case Management Plan</i> (DeRieux, Elizabeth) (Entered: 03/15/2013)
03/19/2013	<u>62</u>	NOTICE of Discovery Disclosure by NobelBiz, Inc. ( <i>Notice of Compliance with P.R. 3-1 and 3-2 Disclosures</i> ) (DeRieux, Elizabeth) (Entered: 03/19/2013)
03/22/2013	<u>I</u>	NOTICE OF CANCELLATION OF HEARING: Scheduling Conference set for 3/28/2013 10:00 AM in Ctrm 102 (Tyler) before Judge Michael H. Schneider is hereby CANCELLED. A Scheduling Order will be entered in the case. (lgp, ) Modified on 3/22/2013 (lgp, ). (Entered: 03/22/2013)
03/27/2013	<u>63</u>	ORDER Setting Hearing on Motion and Deadlines re <u>6</u> SEALED MOTION <i>for Preliminary Injunction</i> : Motion Hearing set for 4/17/2013 10:00 AM in Ctrm 102 (Tyler) before Judge Michael H. Schneider. Signed by Judge Michael H. Schneider on 3/27/13. (mjc, ) (Entered: 03/27/2013)
03/28/2013	<u>64</u>	ORDER granting <u>23</u> Motion to Change Venue. The Court ORDERS that this case be transferred to the United States District Court for the Northern District of California. Signed by Judge Michael H. Schneider on 03/28/13. cc:attys 3-28-13 (mll, ) (Entered: 03/28/2013)
03/28/2013	<u>I</u>	<b>This civil action will be transferred to the Northern District of California on or after 4-17-2013 per Local Rule CV-83(b).</b> (mll, ) (Entered: 03/28/2013)
04/18/2013	<u>I</u>	Interdistrict transfer to the Northern District of California. (mll, ) (Entered: 04/18/2013)